

## REMARKS

### I. STATUS OF THE CLAIMS

Claims 1-4, 16 and 18-24 are currently pending.

### II. REJECTION OF CLAIMS 1, 16 AND 23 AND 24 UNDER 35 USC 102(E) AS BEING ANTICIPATED BY STRUB (US PATENT NO. 6,825,875) IN VIEW OF OLSCHAFSKIE (US PATENT NO. 6,460,766)

Claim 16 recites a data accumulation system comprising (a) a data output device wirelessly and publicly transmitting image or text data; (b) a data storage device receiving the image or text data wirelessly and publicly transmitted by the data output device; and (b) a portable terminal.

Moreover, claim 16 recites the portable terminal (i) wirelessly communicating with the data storage device to cause the portable terminal to display, to a user of the portable terminal, the image or text data wirelessly and publicly transmitted by the data output device and received by the data storage device, (ii) wirelessly communicating with the data storage device to allow the user to input a command to the portable terminal indicating whether the image or text data wirelessly and publicly transmitted by the data output device and received by the data storage device should be stored in the data storage device, in accordance with a decision by the user after viewing the image or text data displayed by the portable terminal, and (iii) wirelessly communicating with the data storage device to transmit the inputted command from the portable terminal to the data storage device to cause the data storage device to store or not store the image or text data wirelessly and publicly transmitted by the data output device and received by the data storage device in accordance with the transmitted command.

Please note that claim 16 is amended to recite the data output device "wirelessly and publicly" transmitting image or text data. Similar amendments are made to the other independent claims. Support for the amendments is found, for example, on page 4, lines 15-20, of the specification.

As an example of a possible embodiment of the present invention, the data output device might be located at a museum or a department store to wirelessly and publically transmit image or text data explaining exhibits or merchandise. See, for example, column 4, lines 15-20, of the specification.

Stub discloses a data acquisition device 401 (such as a camera) that is worn by a recorder (a person) to record an event. As illustrated in FIG. 5 and disclosed in column 60, lines

34-39, of Strub, a visual recording display 503 displays the recording to the recorder as the content is being recorded. A wireless marking token is provided to the recorder (that is, the person) to enable the person to mark the recording. See, for example, column 53, lines 16-24; column 55, lines 2-9, of Strub.

Therefore, data transmitted by data acquisition device 401 of Strub is privately transmitted to only the recorder (a person wearing the data acquisition device 401). Data acquisition device 401 of Strub does not publicly transmit data.

Therefore, the overall nature of the claimed invention is significantly different than that in Strub.

Moreover, no portion of Strub discloses or suggests any type data acquisition device 401 that publicly transmits data.

Instead, the data acquisition device 401 of Strub is largely directed to being small, lightweight and wearable by the recorder.

For example, a data acquisition device 202 of Strub is part of a recording unit 200. The recording units 200, 300 are illustrated in FIGS. 2 and 3, respectively. The recording unit 200 is provided with a data acquisition device 202 and the recording unit 300 is provided with a video (visual) data acquisition device 302 and an audio data acquisition device 303 (column 11, lines 37-38; column 12, lines 4-6, of Strub). The recording units 200, 300 are small, lightweight and wearable that contemplate low attention recording (column 4, lines 20-31; column 4, lines 29-30, of Strub).

Strub states that the video data acquisition device 302 is preferable due to its relatively lower resolution and less price (column 14, lines 35-37) and that the video data acquisition device 302 preferably has such a size and weight that the recorder can comfortably wear so as not to interfere with the recorder's participation in the event, as well as to require little attention from the recorder (column 14, line 59, through column 15, line 1, of Strub).

FIG. 4 of Strub illustrates a video data acquisition device 401 attached to a head harness 402 that is worn by a recorder 403 (column 16, lines 10-14, of Strub).

Strub further states that an audio data acquisition device is lightweight and can be worn by a recorder (column 22, lines 3-15, of Strub).

Therefore, the data acquisition device of Strub, either a visual data acquisition or an audio data acquisition device, can be worn by a recorder and is a compact and lightweight. In other words, these data acquisition devices are used by a recorder to obtain information on his/her person carrying it, *but is not a device installed to wirelessly and publicly transmit data.*

Olschafskie discloses an optical scanning device that communicates with a processor

(column 3, lines 22-24, of Olschafskie). The device is carried by a recorder or a user in order for him/her to obtain information on his/her person like the aforementioned data acquisition device 202 of Strub, *but is not a device installed to wirelessly and publicly transmit data*.

Therefore, it is respectfully submitted that the overall nature and operation of Strub and Olschafski, taken individually or in combination, is substantially different than that recited, for example, in the amended claim 16. Specifically, the amendments to claim 16, that the data output device "wirelessly and publicly" transmits image or text data, clearly distinguish over the cited references.

The above comments are specifically directed to claim 16. However, it is respectfully submitted that the comments would be helpful in understanding various differences of various other claims over the references.

In view of the above, it is respectfully submitted that the rejection is overcome.

### III. REJECTIONS UNDER 35 USC 103 IN VIEW OF TREYZ (US PATENT NO. 6,526,335) AND KNOLLS (US PATENT NO. 6,856,820)

Treyz discloses an automobile personal computer that interacts with wireless devices from various vendors to complete purchase transactions with the vendors. For example, in FIG. 1 of Treyz, an automobile includes an automobile personal computer 14. Automobile personal computer 14 interacts with wireless devices of vendors such as merchants 28, hotels 26 and toll collection facilities 22. See, for example, column 44, line 57, through column 46, line 43, of Treyz, which describes the interaction of automobile personal computer 14 with wireless devices of vendors to complete purchase transactions.

Therefore, generally, a purchase transaction in Treyz requires automobile personal computer 14 and a wireless device of a vendor.

However, there is no portable device in Treyz which displays *image or text data* transmitted between automobile personal computer 14 and the wireless device of the vendor *to allow the user of the portable device to make a determination as to whether the transferred image or text data should be stored*.

Further, no portion of Treyz relates to allowing a user of a portable device to make any type of decision as to whether wirelessly and publicly transmitted data is to be stored by the data storage device in the manner recited, for example, in claim 16.

Column 20, line 62, through column 21, line 6, of Treyz, which were cited by the Examiner, disclose the use of a web-based interface that may be used to remotely adjust the settings of the automobile personal computer. A device running the web-based interface can be

connected to the automobile personal computer through a cable or a wireless link. As described in this portion of Treyz, the settings which are adjusting include, for example, an e-mail address of the automobile personal computer. Column 21, line 29, through column 22, line 19, of Treyz (which includes column 22, lines 10-45, cited by the Examiner), describe other settings that can be adjusted by the web-based interface. These other settings include turning ON or OFF audio tone alerts, radio settings, and selection of subscription services such as digital satellite radio or Internet service.

Therefore, the web-based interface in Treyz is simply used to communicate with the automobile personal computer to adjust settings. Only two devices are involved in the setting process: (1) the web-based interface, and (2) the automobile personal computer. The process does not involve three devices (a data output device, a data storage device and a portable terminal) in a manner recited, for example, in claim 16 of the present application.

Please note that claim 16 specifically recites a specific interaction of three devices: (1) a data output device wirelessly and publicly transmitting data (2) a data storage device, and (3) a portable terminal.

It is respectfully submitted that column 20, line 62, to column 21, line 6, and column 22, lines 10-45, of Treyz, which were cited by the Examiner, do not disclose or suggest the operation of three devices as recited, for example, in claim 16.

In the Office Action, the Examiner also refers to column 45, line 5, through column 46, line 29, of Treyz. This portion of Treyz indicates that a wireless telephone may be a part of, or attached to, the automobile personal computer. The wireless telephone can then be a part of a purchase transaction. More specifically, the wireless telephone may be used to initiate a transaction such as, for example, by placing an order or making an offer. See, for example, step 660 in FIG. 50 of Treyz. The wireless telephone may also be used to complete the transaction such as, for example, by providing payment information such as a credit card number or account number. See, for example, step 670 in FIG. 50 of Treyz.

In the Office Action, the Examiner also refers to column 53, line 60, to column 54, line 9; and column 72, lines 10-32, of Treyz. These portions of Treyz simply indicate that an automobile personal computer 14 can be used in financial transactions, and can retain data from the financial transactions.

Therefore, the wireless telephone in Treyz is simply used to initiate or complete a transaction. No portion of Treyz indicates that data transmitted from a merchant and received by the automobile personal computer is displayed on the wireless telephone so that the user of the wireless telephone can decide whether the displayed data should be stored by the automobile

personal computer. Instead, the wireless telephone of Treyz is simply used as an extension of the automobile personal computer to provide additional data input capabilities, such as an additional device to input credit card or account information.

Please note that claim 16 recites that data is *image or text* data. See, for example, page 9, line 25, through page 10, line 11; and page 11, lines 10-19, of the specification.

Treyz does NOT disclose or suggest that image or text data is transmitted from a merchant to the automobile personal computer, and that the wireless telephone displays the image or text data to allow a user of the wireless telephone to decide whether or not the displayed image or text data should be stored by the automobile personal computer.

Moreover, an object of various embodiments of the present invention is to allow a user of a portable terminal to check whether or not the data wirelessly and publicly transmitted by the data output device and received by the data storage device *are worth storing by the data storage device*, by viewing the data as it is displayed on the portable terminal. The user can then input a command to the portable terminal indicating whether the data should be stored in the data storage device. The portable terminal then wirelessly communicates with the data storage device to transmit the inputted command from the portable terminal to the data storage device. See, for example, page 10, lines 2-6, of the specification of the present application.

Treyz is not directed to allowing a user of a portable terminal to check whether or not data wirelessly and publicly transmitted by a data output device and received by a data storage device are worth storing by the data storage device, by viewing the data as it is displayed on the portable terminal, as in various embodiments of the present invention.

Therefore, the objects of Treyz are significantly different than various embodiments of the present invention.

Knolls discloses communication between a PDA 324, an in-vehicle device 200 and an Internet appliance 322. The Internet appliance 322 might be included, for example, in a refrigerator. See, for example, column 8, line 57, through column 9, line 62, of Knolls. However, Knolls does not address the deficiencies described above with respect to Treyz.

Please note that the independent claims are amended herein. It is respectfully submitted that the amendments highlight differences between the overall nature of the claimed invention and the combination of Treyz with Knolls.

The above comments are specifically directed to claim 16. However, it is respectfully submitted that the comments would be helpful in understanding various differences of various other claims over Treyz in view of Knolls.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required in connection with filing of this response, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

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